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ADAM I. KLEINBERG
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September 18, 2020

Via ECF

Hon. Colleen McMahon
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *J.T. et al. v. de Blasio, et al.*
Docket No. : 20-CV-5878 (CM)
File No. : 200122

Your Honor:

We previously entered an appearance for the Lindenhurst Union Free School District and the Massapequa Union Free School District. We are also counsel to the Hicksville Union Free School District (“Hicksville”) as respects this action. We had not entered an appearance for Hicksville, given the Court’s prior Orders and since service by email was never authorized nor was a summons ever issued to Hicksville.

Similar to the reports filed by others, Hicksville received a request for an impartial hearing from plaintiffs’ counsel and his organization, the Brain Injury Rights Group. A copy of the request for an impartial hearing (redacted to preserve the anonymity of the student and parent) is attached. The request for an impartial hearing makes many of the same allegations that are asserted in the Complaint.

In the appendix to the Complaint, plaintiff # 94 is identified as D.R., the parent/guardian of M.R. Hicksville only received one recent impartial hearing request from individuals with those initials. That parent, D.R., specifically denied hiring an attorney and denied knowledge of the matter. Redacted emails between D.R. and the Hicksville Director of Pupil Personnel Services are attached as Exhibit B.

We recognize the seriousness of the allegations and do not take it lightly when we bring such a matter to the Court. But, as others have stated, it is our obligation to do so as an officer of the Court and in accordance with the information sought of plaintiffs’ counsel in the Court’s prior order.

SOKOLOFF STERN LLP

Hon. Colleen McMahon
September 18, 2020
Page 2

Thank you for the consideration of this matter.

Respectfully submitted,

SOKOLOFF STERN LLP



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Attachments
CC: All counsel of record (via ECF)